

MESSAGE NO: 2195113 MESSAGE DATE: 07/13/1992

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-583-401

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1983 TO 05/31/1985

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR BIKE TIRES AND TUBES FROM TAIWAN (KENDA RUBBER INDUSTRIAL CO., LTD.)

MESSAGE NO: 2195113

DATE: 07 13 1992

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TYPE: LIQ

REFERENCE:

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CASES: A - 583 - 401

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PERIOD COVERED: 01 01 1983 TO 05 31 1985

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE:

LIQUIDATION INSTRUCTIONS FOR BIKE TIRES AND TUBES
FROM TAIWAN (KENDA RUBBER INDUSTRIAL CO., LTD.)

1. FOR ALL SHIPMENTS OF BIKE TIRES AND TUBES FROM TAIWAN MANUFACTURED OR EXPORTED BY KENDA RUBBER INDUSTRIAL CO., LTD., AND SOLD DURING THE PERIOD JUNE 1, 1983 THROUGH MAY 31, 1985, ASSESS A DUMPING LIABILITY EQUAL TO 3.65 PERCENT OF THE U.S. PRICE. U.S. PRICE IS EQUAL TO THE HIGHER OF THE INVOICE PRICE OR THE ENTERED VALUE LESS ALL DEDUCTIONS NECESSARY TO ARRIVE AT AN EX-FACTORY, PACKED PRICE.

2. IN ALL CASES CALCULATE THE FOREIGN MARKET VALUE TO EQUAL AN AMOUNT WHICH IS 3.65 PERCENT HIGHER THAN THE U.S. PRICE.

3. IN ACCORDANCE WITH C.I.E. N-15\ 88 DATED AUGUST 21, 1988, REPORT ANY DUMPING DUTIES DUE TO CUSTOMS SERVICE HEADQUARTERS.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, WHICH REQUIRE INTEREST ON OVERPAYMENTS OR UNDERPAYMENTS OF THE AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. IMMEDIATELY FORWARD TO CUSTOMS SERVICE HEADQUARTERS ANY INFORMATION ON FILE WHICH MIGHT AFFECT THE APPRAISED VALUES UNDER THE ANTIDUMPING PROVISIONS, WITH AN EXPLANATION OF THE CIRCUMSTANCES UNDER WHICH IT WAS RECEIVED. IN SUCH A CASE, SUSPEND LIQUIDATION OF THE AFFECTED ENTRIES UNTIL A DECISION IS MADE CONCERNING THE APPLICABILITY OF THE ADDITIONAL INFORMATION.

6. WHENEVER THE USE OF THE ABOVE VALUES RESULTS IN THE ASSESSMENT OF ANTIDUMPING DUTIES, YOU SHOULD REQUIRE OF THE IMPORTER PRIOR TO LIQUIDATION THE REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES OR FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES DUE IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

7. YOU MAY RELEASE APPRAISED VALUES TO THE INDIVIDUAL IMPORTER CONCERNED OR HIS AUTHORIZED REPRESENTATIVE. YOU MAY RELEASE ANY DETAILS OF THE CALCULATIONS OF APPRAISED VALUES WITHOUT AUTHORIZATION OF CUSTOMS SERVICE HEADQUARTERS.

8. EFFECTIVE AS OF THE DATE OF ISSUANCE OF THIS MASTER LIST, YOU SHOULD NO LONGER SUSPEND LIQUIDATION OF ENTRIES COVERED BY THIS MASTER LIST AND YOU SHOULD PROCEED WITH LIQUIDATION ACCORDINGLY.

9. IF THERE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH BY E-MAIL ATTRIBUTE HQ OAB. THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT TODD PETERSON ON 202 377-4106, OFFICE OF ANTIDUMPING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

10. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party